



201.68221

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: William B. Rose)

Serial No.: 10/705,589)

Conf. No.: 6235)


Filed: 11/10/2003)

For: PREFORMED DIVERTERS AND)
DIVERTER SYSTEM FOR)
BUILDING FOUNDATIONS)

Art Unit: 3753)

Examiner: Nguyen, Chi Q.)

I hereby certify that this paper is being deposited
with the United States Postal Service as FIRST-
CLASS mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450, on this date

5/21/07 

Date Registration No. 35132

F-CLASS.WCM Attorney for Applicant(s)

Appr. February 20, 1998

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement dated April 19, 2007, applicants maintain the previous election of the claims of Group II which includes claims 1-4, 6-15, 26-29, 31-54 and 65-66 drawn to an apparatus of a preformed unibody diverter. This election of claims was already made without traverse on August 28, 2006. The previous election is maintained.

Because, however, the current (and unnecessary) restriction sets forth additional grounds that are improper, the basis for the current restriction is traversed. This is done to clarify the record. Examination can proceed on the Group II claims as it has been proceeding. The additional restriction requirement only serves to delay prosecution of this case, and is improper as it does nothing to advance the examination of this case. Claims 55-64 were already withdrawn in the office action that was mailed on October 17, 2006.